

UNITED STATES DISTRICT COURT

for the

Middle District of Pennsylvania

FILED
HARRISBURG, PA

MAR - 5 2008

United States of America)

v.)

VICTOR MANUEL ARROYO, JR.)

MARY E. D'ANDREA, CLERK

Per Deputy Clerk

Case No: 1:CR-00-294-01

USM No: 10288-067

James V. Wade, Federal Public Defender

Defendant's Attorney

Date of Previous Judgment: 10/11/2001

(Use Date of Last Amended Judgment if Applicable)

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 110 months is reduced to time served.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 27Amended Offense Level: 25Criminal History Category: IVCriminal History Category: IVPrevious Guideline Range: 100 to 120 monthsAmended Guideline Range: 84 to 105 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):**III. ADDITIONAL COMMENTS**

The delay in the effective date of release is to enable the Bureau of Prisons to complete release planning, conduct any assessments and to collect DNA samples as mandated by law.

Except as provided above, all provisions of the judgment dated 10/11/2001 shall remain in effect.

IT IS SO ORDERED.Order Date: March 5, 2008


Judge's signature

Effective Date: March 14, 2008
(if different from order date)

Sylvia H. Rambo, United States District Judge
Printed name and title